



December 9, 2020

**STATUS REPORT – E-DISCOVERY AND MOTION TO  
THAT PLAINTIFF BE PERMITTED TO ATTEMPT COMPLIANCE  
WITH THE DECEMBER 4, 2020 ORDER THROUGH CORNERSTONE**

*Via E-filing*

United States District Court  
Eastern District of Pennsylvania  
Honorable Joshua D. Wolson  
601 Market Street  
Room 3809  
Philadelphia, PA 19106-1726

RE: Lisa Barbounis v. The Middle East Forum  
No. 2:19-cv-05030-JDW

Dear Judge Wolson:

Please allow this email to serve as Plaintiff's status report in connection with the December 4, 2020 Order.

On December 8, 2020, Plaintiff secured Cornerstone's agreement to work with Plaintiff's counsel to produce the 578 text threads identified by Defendants and Ordered by the Court be produced through an AEO production. Cornerstone agreed to provide Plaintiff with the entire contents of the imaged devices and the Celubrite e-discovery software which will allow Plaintiff's counsel to identify and produce the 578 text threads. Cornerstone has also agreed to work with counsel for Plaintiff to help Plaintiff work with Celubrite toward this objective.

Plaintiff's counsel held a conversation with counsel for Defendants, Dave Walton this morning. Mr. Walton stated that his client may object to Plaintiff attempting to produce this information in this fashion.

The reason that Plaintiff is attempting to proceed this way is to maintain and control costs. The cost of using an e-Discovery vendor to produce 578 text threads could be more than ten-thousand dollars. If there is a way to achieve the production of information without incurring this cost, Plaintiff requests permission to do so.

Regarding the images, audio files, and video files, Plaintiff has produced all image files that Plaintiff identified as relevant to the instant matter. **Plaintiff certifies that all image files have been produced which were identified by Plaintiff through Bates Stamps MEF Images (LB) 00001 through 01355.**

There are still audio and video files which Plaintiff will produce today and file a subsequent certification on the docket to that effect.

Should the Court not allow Plaintiff to attempt to produce the information through the assistance of Cornerstone, please allow this Status Report to serve as certification that Plaintiff did retain Capsicum. Capsicum was already in possession of the images of the devices. Plaintiff's counsel provided Capsicum with the Excel Spreadsheet that Defendants made which identifies the text threads at issue. Should the Court deny Plaintiff's request to work with Cornerstone, Capsicum will use the list of text threads provided by Defendants in an Excel Spreadsheet to produce those threads in the same format which was already used for the 68 text threads. The 68 text threads already produced includes images, emojis, and clickable links.

Very Truly Yours,

**DEREK SMITH LAW GROUP, PLLC**

BY: /s/ Seth D. Carson  
Seth D. Carson, Esquire

CC: All parties through ECF

**CERTIFICATE OF SERVICE**

I hereby certify that on this date that I caused a true and correct copy of Plaintiff's Status Report was served via the Court's ECF filing system:

David J. Walton (PA # 86019)  
Leigh Ann Benson (PA #319406)  
Cozen O'Connor  
1650 Market Street, Suite 2800  
Philadelphia, PA 19103  
P: 215-665-2000  
F: 215-665-2013  
dwalton@cozen.com  
[lbenson@cozen.com](mailto:lbenson@cozen.com)

Sidney L. Gold sgold@discrimlaw.  
Sidney L. Gold & Associates P.C.  
1835 Market Street, Suite 515  
Philadelphia, PA 19103  
Tel: (215) 569-1999  
Fax: (215) 569-3870  
Counsel for The Middle East Forum

**DEREK SMITH LAW GROUP, PLLC**

BY: /s/ Seth D. Carson

SETH D. CARSON

DATED: December 9, 2020